

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/973,808

A. Claim 1

Claim 1 relates to a damper for speaker. The damper comprises an auxiliary damper, a laminate film, and a primary damper. The auxiliary damper is impregnated with a thermosetting resin, and the laminate film is laminated on the auxiliary damper. Also, the primary damper is formed on the auxiliary damper or the laminate film.

Applicants submit that Ogura does not suggest the damper as alleged by the Examiner. In particular, the Examiner maintains that Fig. 4 of Ogura illustrates an auxiliary damper 14, a laminate film 12, and a primary damper 18 as recited in claim 1. However, Applicants submit that the Examiner is misinterpreting and/or misapplying the teachings of the reference.

For example, in Ogura, the diaphragm portion 14 is used to generate sound, and thus, it does not function as a damper. Furthermore, as described in the reference, the film 18 is formed directly on the diaphragm portion 14:

In FIG. 4, the film 18 is depicted as being separate from the diaphragm portion 14 only for illustration and, in fact, is fixedly deposited on the portion 14.

(Column 8, lines 23-26 (emphasis added)). Since the film 18 is not separate from the diaphragm portion 14, it likewise does not function as a damper.

Since, the diaphragm portion 14 and the film 18 do not perform any type of damping function, they do not respectively teach the claimed auxiliary damper and primary damper, as alleged by the Examiner. In addition, one skilled in the art clearly understands that a diaphragm of a speaker is distinct and separate from, and does not correspond to, a damper.

For instance, Fig. 7 and page 1, lines 9-17, of the present application show that the damper 74 is distinct from a diaphragm 81. Such fact is further shown by U.S. Patent No.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/973,808

6,134,337 ("the '337 patent"), which issued nearly a year before the U.S. filing date of the present application and which is assigned to Bell Tech Co., Ltd. and Foster Electric Co., Ltd. For example, in describing the diaphragm 2 and damper 53, the '337 patent states:

FIG. 5 shows the whole structure of a loudspeaker incorporating the foregoing diaphragm 2. In this embodiment, a new feature resides in structure of the diaphragm 2, and the conventional structures can be applied to the other portions of the loudspeaker as they are. In FIG. 5, numeral 4 denotes a frame, and the large-diameter side opening edge 21 is attached to the frame 4 at its forward end via an elastic roll edge 41. On the other hand, the small-diameter side opening edge 22 of the diaphragm 2 is fixed onto the circumference of a cylindrical member 42 (corresponding to the foregoing cylindrical member 3).

A voice coil 43 is wound around the circumference of the cylindrical member 42 at its base end side. Further, a yoke 5 is provided so as to confront the voice coil 43. Numeral 51 denotes a magnet, 52 a center pole, 53 a damper and 54 a cap. The shown loudspeaker is of an inside driving type, wherein a magnetic field around the voice coil 43 is changed according to a sound signal so that a magnetic force between the voice coil 43 and the yoke 5 is changed to vibrate the diaphragm 2 forward and backward.

(Column 4, line 62, to column 5, line 14 (emphasis added)). Clearly, a damper does not correspond to a diaphragm, and thus, the diaphragm portion 14 and film 18 of Ogura do not teach the claimed dampers.

B. Claim 2

Since claim 2 contains features that are similar to the features contained in claim 1, Applicants submit that claim 2 is patentable for at least reasons that are similar to the reasons presented above in conjunction with claim 1.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/973,808

C. Claims 3 and 4

Since claims 3 and 4 depend on claim 1 or 2, Applicants submit that they are patentable at least by virtue of their dependency.

D. Claim 5

Since claim 5 contains features that are similar to the features contained in claim 1, Applicants submit believe that claim 5 is patentable for at least reasons that are similar to the reasons presented above in conjunction with claim 1.

E. Claims 6 and 7

Since claims 6 and 7 depend on claim 5, Applicants submit believe that they are at least by virtue of their dependency.

F. Claim 8

Since claim 8 contains features that are similar to the features contained in claim 1, Applicants submit that claim 8 is patentable for at least reasons that are similar to the reasons presented above in conjunction with claim 1.

G. Claim 9

Since claim 9 depend on claim 8, Applicants submit believe that it is patentable at least by virtue of its dependency.

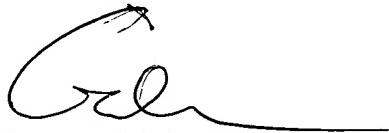
RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/973,808

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Grant K. Rowan
Registration No. 41,278

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: February 28, 2003